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FEE OF THIS PAPER TO DEPOSIT
10/069183
#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Takehiko KITAMORI et al. : Confirmation No. 7634
Serial No. 10/069,183 : Attn: BOX MISSING PARTS
Filed February 21, 2002 : Docket No. 2002_0252A

DESKTOP THERMAL LENS MICROSCOPE
APPARATUS

05/08/2003 LLANDGRA 00000096 10069183

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PETITION UNDER 37 CFR 1.182
(RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE)

Assistant Commissioner for Patents,
Washington, DC 20231

Sir:

A Notification of Defective Response was mailed by the PTO on April 4, 2003. The Notification indicates that the Declaration is not in compliance with the rules because the given name of the third inventor listed in the Declaration is different from the name listed on the published international application, and no form PCT/IB/306 has been issued to indicate a change of the name in the international application.

In fact, the given name of the third inventor is correct as listed in the executed Declaration filed on February 13, 2003. It is the name listed on the PCT publication that is incorrect. More specifically, the name "Ryo TSUNEMI" listed on the PCT publication is incorrect; the correct name is --Akira TSUNEMI--.

The error occurred due to an incorrect translation of the Japanese name, and the error was not discovered until after the PCT application was filed. It was not recognized that a Request for a Change of the Name should have been filed during pendency of the international application. The error was made without deceptive intent.

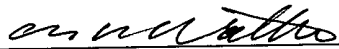
As evidence that the correct name of the inventor is Akira TSUNEMI and not Ryo TSUNEMI, a statement by the inventor is submitted herewith.

Accordingly, it is respectfully requested that the executed Declaration filed February 13, 2003 containing the name Akira TSUNEMI for the third inventor be accepted.

A petition fee of \$130.00 is enclosed.

Respectfully submitted,

Takehiko KITAMORI et al.

By: 

Charles R. Watts

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May 5, 2003



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Confirmation No. 7634

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DESKTOP THERMAL LENS MICROSCOPE
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STATEMENT OF INVENTOR AKIRA TSUNEMI

Assistant Commissioner for Patents,
Washington, DC 20231

Sir:

I hereby state that I am an inventor of the above-identified application, and that the name "Ryo TSUNEMI" listed on the PCT publication refers to me, but that such is not my correct name. I further state that my correct name is --Akira TSUNEMI--, and not Ryo TSUNEMI as listed on the PCT publication.

I did not become aware of the incorrect name until after the PCT application had been filed, and I did not recognize that it was necessary to make the correction during the pendency of the international application.

This error was made without deceptive intent, and I hereby request that the executed Declaration containing my name as "Akira TSUNEMI" be accepted in the above-identified U.S. application.

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name:

Akira Tsunemi

Akira TSUNEMI

Date: April 25, 2003